

REMARKS

I. Introduction

Claims 19 to 29, and 31 to 39 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Objection to the Specification

As regards the objection to the Specification, it is respectfully submitted that the features of claim 39 are supported by the Specification, e.g. from page 9, line 34 to page 10, line 14; and Figures 2 and 3. The cited section and Figures 2 and 3 show the spray discharge openings 6 arranged on the spherical portion 13 of the nozzle body 7 such that two approximately semicircular line segments (dashed lines in Figure 2) together intersect center axes 14 of all the spray discharge openings 6 and intersect each other at the nozzle body axis 8, and as shown in Figure 2, the two approximately semicircular line segments are approximately perpendicular to one another. Further, “[t]here is no requirement that the words in the claim must match those used in the specification,” and “Applicants are given a great deal of latitude in how they choose to define their invention so long as the terms and phrases used define the invention with a reasonable degree of clarity and precision.” M.P.E.P. § 2173.05(e).

Withdrawal of this objection is therefore respectfully requested.

III. Rejection of Claim 39 Under 35 U.S.C. § 112, First Paragraph

Claim 39 was rejected under 35 U.S.C. § 112, first paragraph, as to the written description requirement.

As more fully set forth above, claim 39 finds support in the Specification, e.g. from page 9, line 34 to page 10, line 14; and Figures 2 and 3. Therefore, it is respectfully submitted that claim 39 fully satisfies the written description requirement. Moreover, the written description requirement is not an in haec verba requirement. That is, “[t]he subject matter of the claim need not be described literally . . . in order for the disclosure to satisfy the description requirement.” M.P.E.P. § 2163.02. Accordingly, it is respectfully submitted that claim 39 is fully supported by an adequate written description.

Withdrawal of this rejection is therefore respectfully requested.

**IV. Rejection of Claims 19, 20, 22 to 26,
28, 29, 36, and 38 Under 35 U.S.C. § 102(b)**

Claims 19, 20, 22 to 26, 28, 29, 36, and 38 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 2,933,259 (“Raskin”). It is respectfully submitted that Raskin does not anticipate the present claims for at least the following reasons.

Claim 19, as presented, relates to a dosing device for a liquid fuel comprising: at least one metering device configured to meter fuel into a metering conduit; and a nozzle body, adjoining the metering conduit, having spray discharge openings which provide direct fluid communication between the metering conduit and a metering chamber, wherein the nozzle body projects with a spherical portion at a spray-discharge end into the metering chamber, and the spray discharge openings are distributed over the spherical portion of the nozzle body, and wherein the metering conduit has a number of points of reduced wall thickness that decrease the thermal conductivity of the metering conduit.

Raskin does not identically disclose, or even suggest, that a nozzle body adjoining a metering conduit has spray discharge openings which provide direct fluid communication between the metering conduit and a metering chamber. Referring to, for example, Figure 4 of Raskin, bores 21 provide fluid communication between an inner pipe and the gap 24, and bores 22 provide fluid communication between the gap 24 and an exterior of the outer element 20. Therefore, it is plainly apparent that neither bores 21 nor bores 22 of Raskin provide direct fluid communication between the metering conduit and a metering chamber, as provided for in the context of claim 19, as presented.

In addition, Raskin does not identically disclose, or even suggest, that a metering conduit has a number of points of reduced wall thickness that decrease the thermal conductivity of the metering conduit. The Final Office Action contends that “[i]n viewing Figure 4 of Raskin, one can clearly see that reference number ‘19’ has a number of points of reduced wall thickness.” (Final Office Action, p. 6). It is respectfully submitted that inner element 19 of Raskin does not correspond to a metering conduit of the present application. At most, inner element 19 of Raskin may correspond to a nozzle body. Further, Raskin states that “inner member 19 is connected to a steam or air supply pipe (not shown).” (Raskin, col. 4, lines 23 to 24).

It is respectfully submitted that this supply pipe may correspond to a metering conduit, but the supply pipe is neither shown nor further described. Referring to Figure 1 of Raskin, inner pipe 4 may be analogous to the supply pipe referred to in Figure 4. However, the wall thickness of inner pipe 4 appears to be **substantially constant** along the length of inner pipe 4. Therefore, it is plainly apparent that the supply pipe of Raskin, which is neither shown nor described, does not have a number of points of reduced wall thickness that decrease the thermal conductivity of the metering conduit, as provided for in the context of claim 19, as presented.

In view of the foregoing, it is respectfully submitted that Raskin does not identically disclose, or even suggest, all of the features included in claim 19, as presented. Accordingly, it is respectfully submitted that Raskin does not anticipate claim 19.

As for claims 20, 22 to 26, 28, 29, 36, and 38, which ultimately depend from claim 19 and therefore include all of the features in claim 19, it is respectfully submitted that Raskin does not anticipate these dependent claims for at least the reasons more fully set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. **Rejection of Claims 19, 21, and 37 Under 35 U.S.C. § 103(a)**

Claims 19, 21, and 37 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Raskin and U.S. Patent No. 6,311,950 (“Kappel et al.”). It is respectfully submitted that the combination of Raskin and Kappel et al. does not render unpatentable the present claims for at least the following reasons.

Claims 21 and 37 ultimately depend from claim 19, as presented. As more fully set forth above, it is respectfully submitted that Raskin does not disclose, or even suggest, all of the features included in claim 19, as presented. Kappel et al. also do not disclose, or even suggest, all of the features included in claim 19 and thus, fails to cure these critical deficiencies.

Accordingly, it is respectfully submitted that the combination of Raskin and Kappel et al. does not disclose, or even suggest, all of the features included in claim 19, from which claims 21 and 37 ultimately depend. As such, it is respectfully

submitted that the combination of Raskin and Kappel et al. does not render unpatentable claims 21 and 37, which ultimately depend from claim 19.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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